IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CIVIL NO. 1:04CV278

MARK DAUGHERTY,)
Plaintiff,)
Vs.) ORDER
FOOD LION, L.L.C.,)
Defendant.)
)

THIS MATTER is before the Court *sua sponte* to continue the trial from the July 2006 term.

The Magistrate Judge has entered a memorandum and recommendation in this matter and objections have been filed. Due to the Court's heavy trial schedule, it is likely to be the latter part of June 2006 before the Court completes its review of the issues involved in the Defendant's motion for summary judgment.

IT IS, THEREFORE, ORDERED that this matter is hereby continued from the July 2006 term.

Signed: May 23, 2006

Lacy H. Thornburg United States District Judge